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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,231	01/28/2002	Shinji Furusho	KUBOTA 0006	4350

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GRIFFIN & SZIPL, PC  
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2300 NINTH STREET, SOUTH  
ARLINGTON, VA 22204

EXAMINER
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VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 08/10/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/048,231

Applicant(s)

FURUSHO, SHINJI

Examiner

Jacques Veillard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This action is responsive to the Applicant's communication filed on 1/28/2002.
2. Claims 1-29 are presented for examination. Upon which claims 8,11,13,16, 18-22, and 27-29 have been amended by preliminary amendment.

### ***Priority***

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. Japan 11/215450, filed on 7/29/1999.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claims 1-16 and 18-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1-3, 23-25, the claims recite the limitation "such that it accepts" the "it" render the claims indefinite because pronouns are not allowed. Only what is being referred by "it" should be set forth in the action.

As per claims 4, 5, 26, the claims recite the limitation "such that it gives" the "it" render the claims indefinite because pronouns are not allowed. Only what is being referred by "it" should be set forth in the action.

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As per claims 6 and 7, they are also rejected under 35 U.S.C. 112, second paragraph, as being indefinite by virtue of dependency of claim 5.

As per claim 8, the claim recited in the preamble “A method of inserting table-format data where field values are inserted at ...data presented by the data structure recited in claim 5, for the compact of prosecution, the claim as written should be in independent form as a method claim.

As per claims 9, 10, 18, and 19, they are also rejected under 35 U.S.C. 112, second paragraph, as being indefinite by virtue of dependency of claim 8.

As per claims 11 and 16, the claims recited in the preamble “A method of deleting table-format data where field values are deleted at ...data presented by the data structure recited in claim 5”, for the compact of prosecution, the claim as written should be in independent form as a method claim.

As per claim 12, it is also rejected under 35 U.S.C. 112, second paragraph, as being indefinite by virtue of dependency of claim 11.

As per claim 13, the claim recited in the preamble “A method of updating table-format data where field values are updated at ...data presented by the data structure recited in claim 5,” for the compact of prosecution, the claim as written should be in independent form as a method claim.

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As per claims 14-15, they are also rejected under 35 U.S.C. 112, second paragraph, as being indefinite by virtue of dependency of claim 13.

As per claim 20, the claim recited in the preamble “A parallel processing method where a plurality of processes are performed simultaneously on table-format data having the data structure recited in claim 5”, for the compact of prosecution, the claim as written should be in independent form as a method claim.

As per claim 21, it is also rejected under 35 U.S.C. 112, second paragraph, as being indefinite by virtue of dependency of claim 20.

As per claim 22, the claim recited in the preamble “A record looking method for table-format data having the data structure recited in claim 5,” for the compact of prosecution, the claim as written should be in independent form as a method claim.

As per claim 27, the claim recited in the preamble “A computer readable recording medium recorded data with a data insertion program for table-format data where field values are inserted at ...data presented by the data structure recited in claim 5”, for the compact of prosecution, the claim as written should be in independent form as a computer readable recorded medium.

As per claim 28, the claim recited in the preamble “A computer readable recording medium recorded data with a data deletion program for table-format data where field values are

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inserted at ...data presented by the data structure recited in claim 5," for the compact of prosecution, the claim as written should be in independent form as a computer readable recorded medium.

As per claim 29, the claim recited in the preamble "A computer readable recording medium recorded data with a data updating program for table-format data where field values are updated at ...data presented by the data structure recited in claim 5," for the compact of prosecution, the claim as written should be in independent form as a computer readable recorded medium.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 1-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a non-statutory subject matter.

As per claims 1-4, 11-22, a computer implemented method not technically embodied. It is possible to manually perform the steps of the claims with pencil and paper. Therefore, this claim invention does not accomplish a practical application. That is, it does not produce a useful concrete and tangible result. The claim is not statutory.

The dependent claims 12, 14, 15, and 21 being further limiting to the independent claims 11,13, and 20 are also non-statutory.

As per claim 5, the preamble recites only a data structure per se, which is not statutory.

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The dependent claims 6 and 7, being further limiting to the independent claim 5, are also non-statutory.

As per claim 8, a computer implemented method not technically embodied. The claim is directed to an abstract idea, one of ordinary skill can possible performs the steps of the claims manually with pencil and paper. Therefore, this claim invention does not accomplish a practical application. That is, it does not produce a useful concrete and tangible result. The claim is not statutory.

The dependent claims 9, 10, 18, 19, being further limiting to the independent claim 8, are also non-statutory.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 4 and 26, as best taught and understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Pasquariello (U. S. Pat. No. 5,687,377).

As per claim 4, Pasquariello discloses a system for storing array variables in a programming language that allows arrays to be re-dimensioned at any time (See Pasquariello Title and Abstract). In particular, Pasquariello discloses the claimed features of “a value conversion for table format data that converts the values of field values in table format data presented by array of records containing a field and the field values contained therein, wherein

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said value conversion for the table format data is characterized” (See Pasquariello col.2, lines 12-20). Also, Pasquariello discloses the claimed features of “generating a value conversion array constituted of an offset value corresponding to the range of said field value”(See Pasquariello col.2, lines 12-19). Further, Pasquariello discloses the claimed features of “being constituted a record number as a subscript and gives an offset value corresponding to the range of said field value to the field value corresponding to said subscript within said array”(See Pasquariello col.3, lines 30-35, Fig.2, col.5, lines 35-46 and col.6, lines 27-38).

As per claim 26, the claim has substantially the same limitations as claim 4. These limitations have already been addressed in the rejection of claim 4. Therefore, it is rejected on similar ground corresponding to the arguments given for the rejected claim 4 above.

10. Claims 1-3, 5-25, and 27-29, as best taught and understood, would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph and reject(s) under 35 U.S.C. 101, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Other Prior Art Made Of Record***

- |                 |                           |
|-----------------|---------------------------|
| 11. Isozaki     | U. S. Pat. No. 5,748,965, |
| Suehiro et al.  | U. S. Pat. No. 6,460,176, |
| Lai et al.      | U. S. Pat. No. 5,485,619, |
| Kyushima et al. | U. S. Pat. No. 6,055,627, |



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York et al.	U. S. Pat. No. 6,002,881,
Sato et al.	U. S. Pat. No. 5,781,777,
Umehara et al.	U. S. Pat. No. 5,721,928,
Dworkin et al.	U. S. Pat. No. 5,640,336,
Wang	U. S. Pat. No. 5,805,887, and
Zaiki	U. S. Pat. No. 5,579,494.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. **Any response to this action should be mail to:**

Commissioner of Patent and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703) 746-7239 (for formal communication intended for entry)

**Or:**

(703) 746-7240 (for informal of draft communications, please label

"PROPOSED" or "DRAFT")

Hand - delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington.

VA, Fourth Floor Lobby (Receptionist Telephone No. (703) 305-3900).

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (703) 305-7094. The examiner can normally be reached Monday through Friday from 9:30 AM to 4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on (703) 305-3830. The fax phone number for this group is (703) 308-5403.

  
**CHARLES RONES**  
**PRIMARY EXAMINER**



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Jacques Veillard  
Patent Examiner TC 2100

August 3, 2004